

**Introduced by Senator Wolk**

February 21, 2014

---

An act to amend Section 830.55 of the Penal Code, relating to correctional officers.

**LEGISLATIVE COUNSEL'S DIGEST**

SB 1406, as introduced, Wolk. Training.

Existing law sets forth the selection and training standards for peace officers, including, but not limited to, local correctional officers with responsibilities over operating, and maintaining the custody of inmates or wards in, prescribed custodial facilities.

This bill would make a technical, nonsubstantive change.

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     SECTION 1. Section 830.55 of the Penal Code is amended to  
2     read:  
3     830.55. (a) (1) As used in this section, a correctional officer  
4     is a peace officer, employed by a city, county, or city and county  
5     that operates a facility described in Section 2910.5 of this code or  
6     Section 1753.3 of the Welfare and Institutions Code or facilities  
7     operated by counties pursuant to Section 6241 or 6242 of this code  
8     under contract with the Department of Corrections and  
9     Rehabilitation or the Division of Juvenile Justice within the  
10    department, who has the authority and responsibility for  
11    maintaining custody of specified state prison inmates or wards,  
12    and who performs tasks related to the operation of a detention

1 facility used for the detention of persons who have violated parole  
2 or are awaiting parole back into the community or, upon court  
3 order, either for their own safekeeping or for the specific purpose  
4 of serving a sentence therein.

5 (2) As used in this section, a correctional officer is also a peace  
6 officer, employed by a city, county, or city and county that operates  
7 a facility described in Section 4115.55, who has the authority and  
8 responsibility for maintaining custody of inmates sentenced to or  
9 housed in that facility, and who performs tasks related to the  
10 operation of that facility.

11 (b) A correctional officer shall have no right to carry or possess  
12 firearms in the performance of his or her prescribed duties, except,  
13 under the direction of the superintendent of the facility, while  
14 engaged in transporting prisoners, guarding hospitalized prisoners,  
15 or suppressing riots, lynchings, escapes, or rescues in or about a  
16 detention facility established pursuant to Section 2910.5 or 4115.55  
17 of this code or Section 1753.3 of the Welfare and Institutions Code.

18 (c) Each person described in this section as a correctional officer,  
19 within 90 days following the date of the initial assignment to that  
20 position, shall satisfactorily complete the training course specified  
21 in Section 832. In addition, each person designated as a correctional  
22 officer, within one year following the date of the initial assignment  
23 as an officer, shall have satisfactorily met the minimum selection  
24 and training standards prescribed by the Board of State and  
25 Community Corrections pursuant to Section 6035. Persons  
26 designated as correctional officers, before the expiration of the  
27 90-day and one-year periods ~~described~~ *set forth* in this subdivision,  
28 who have not yet completed the required training, may perform  
29 the duties of a correctional officer only while under the direct  
30 supervision of a correctional officer who has completed the training  
31 required in this section, and shall not carry or possess firearms in  
32 the performance of their prescribed duties.

33 (d) This section shall not be construed to confer any authority  
34 upon a correctional officer except while on duty.

35 (e) A correctional officer may use reasonable force in  
36 establishing and maintaining custody of persons delivered to him  
37 or her by a law enforcement officer, may make arrests for  
38 misdemeanors and felonies within the local detention facility  
39 pursuant to a duly issued warrant, and may make warrantless arrests

1 pursuant to Section 836.5 only during the duration of his or her  
2 job.

O